

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket No: 28944/40098

00746 U.S. PTO  
10/824880  
041504

**PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. 1.53**

**Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): Romier et al.

Title: A METHOD AND APPARATUS FOR LAYING HOT BLACKTOP PAVING MATERIAL

**1. Type of Application**

- ☒ This is a new application for a  
☒ utility patent.  
☐ design patent.
- ☐ This is a continuation-in-part application of prior application no.

**2. Application Papers Enclosed**

- 1 Title Page  
5 Pages of Specification (excluding Claims, Abstract, Drawings & Sequence Listing)  
2 Page(s) of Claims  
1 Page(s) of Abstract  
1 Sheet(s) of Drawings (Fig. 1)

- ☒ Formal  
☐ Informal

Page(s) of Sequence Listing

**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this Patent Application Transmittal and the documents referred to as enclosed therewith are being deposited with the United States Postal Service on **April 15, 2004**, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 utilizing the "Express Mail Post Office to Addressee" service of the United States Postal Service under Mailing Label No EV327040528US.

Colleen M. Burke  
Name: Colleen M. Burke

**3. Declaration or Oath**

- ☐ Enclosed
  - ☐ Executed by (check all applicable boxes)
    - ☐ Inventor(s)
    - ☐ Legal representative of inventor(s)  
(37 CFR 1.42 or 1.43)
    - ☐ Joint inventor or person showing a proprietary interest on  
behalf of inventor who refused to sign or cannot be reached
      - ☐ The petition required by 37 CFR 1.47 and the  
statement required by 37 CFR 1.47 are enclosed.  
See Item 5D below for fee.
- ☒ Not enclosed - the undersigned attorney or agent is authorized to file this  
application on behalf of the applicant(s). An executed declaration will follow.

**4. Small Entity Status**

- ☐ Applicant claims small entity status. See 37 CFR 1.27.

**5. Additional Papers Enclosed**

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement
- ☐ Declaration of Biological Deposit
- ☐ Computer readable copy of sequence listing containing nucleotide and/or  
amino acid sequence
- ☐ Microfiche computer program
- ☐ Associate Power of Attorney
- ☐ Verified translation of a non-English patent application
- ☐ An assignment of the invention
- ☐ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
- ☒ Return receipt postcard
- ☐ Other

**6. Priority Applications Under 35 USC 119**

Certified copies of applications from which priority under 35 USC 119 is claimed are listed below and

☒ are attached.

☐ will follow.

COUNTRY	APPLICATION NO.	FILED
France	FR 03 04875	18 April 2003

**7. Filing Fee Calculation (37 CFR 1.16)**

A. ☒ Utility Application

CLAIMS AS FILED - INCLUDING PRELIMINARY AMENDMENT (IF ANY)						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE				\$385.00		\$770.00
TOTAL	9 - 20	= 0	X \$9.00 =	\$	X \$18.00 =	\$
INDEPENDENT	1 - 3	= 0	X \$43.00 =	\$	X \$86.00 =	\$
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ \$145.00 =	\$	+ \$290.00 =	\$
Filing Fee:				\$	OR	\$770.00

B. ☐ Design Application (\$170.00/\$340.00) Filing Fee: \$ \_\_\_\_\_

C. ☐ Plant Application (\$265.00/\$530.00) Filing Fee: \$ \_\_\_\_\_

**D. Other Fees**

☐ Recording Assignment [Fee -- \$40.00 per assignment] \$ \_\_\_\_\_

☐ Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached [Fee -- \$130.00] \$ \_\_\_\_\_

☐ Other \$ \_\_\_\_\_

**8. Method of Payment of Fees**

- ☐ Enclosed check in the amount of:
- ☒ Charge Deposit Account No. 50-1903 in the amount of: **\$770.00**  
A copy of this Transmittal is enclosed.
- ☐ Not enclosed

**9. Deposit Account and Refund Authorization**

The Commissioner is hereby authorized to charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 37 CFR 1.17 or under other applicable rules (except payment of issue fees), to Deposit Account No. 50-1903. A copy of this Transmittal is enclosed.

Please refund any overpayment to McCracken & Frank LLP at the address below.


**10. Correspondence Address**

Customer No.: 29471

Respectfully submitted,

McCracken & Frank LLP  
200 West Adams Street  
Suite 2150  
Chicago, Illinois 60606  
(312) 263-4700  
(312) 263-3990 (Telefacsimile)

By:

  
J. William Frank II, Esq.  
Reg. No: 25,626

April 15, 2004